

**FILED**

JUN 12 2015

*[Signature]*

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

NORTHERN DIVISION

SIOUX RURAL WATER SYSTEM,  
INC., A NON-PROFIT  
CORPORATION;

Plaintiff,

vs.

CITY OF WATERTOWN, A SOUTH  
DAKOTA MUNICIPALITY; AND  
WATERTOWN MUNICIPAL  
UTILITIES, AN AGENCY OF THE  
CITY OF WATERTOWN;

Defendants.

1:15-CV-01023-CBK

ORDER FOR FORM 52 REPORT  
AND SCHEDULING  
INFORMATION

Pursuant to the terms of Fed. R. Civ. P. 26(f), within thirty days following the appearance of a defendant, or within sixty days after the Summons and Complaint have been served on a defendant, the parties shall meet to discuss the nature and basis of their claims and defenses and the possibilities for a prompt settlement or resolution of the case, to make or arrange for the disclosures required by subdivision (a)(1), to discuss any issues about preserving discoverable information, and to develop a proposed discovery plan. Counsel shall hold their Rule 26(f) meeting, and shall jointly prepare and file with the Clerk of Court a complete written report of the 26(f) meeting. The written report shall be filed within thirty days of the date of this Order. The report shall comply with Form 52, Report of Parties' Planning Meeting, and shall include the following:

1. The following persons participated in a Rule 26(f) conference on [date] by [state the method of conferring]:
2. Initial Disclosures. The parties [have completed][will complete by \_\_\_\_] the initial disclosures required by Rule 26(a)(1).

3. Discovery Plan. The parties propose this discovery plan:  
(use separate paragraphs if the parties disagree)
  - (a) Discovery will be needed on these subjects:
  - (b) Dates for commencing and completing discovery, including discovery to be commenced or completed before other discovery.
  - (c) Maximum number of interrogatories by each party to another party, along with the dates the answers are due.
  - (d) Maximum number of requests for admission, along with the dates responses are due.
  - (e) Maximum number of depositions by each party.
  - (f) Limits on the length of depositions, in hours.
  - (g) Dates for exchanging reports of expert witnesses.
  - (h) Dates for supplementation under Rule 26(e).
4. Other Items:
  - (a) Requested dates for telephonic pretrial conference.
  - (b) Final dates for the plaintiff to amend pleadings or to join parties.
  - (c) Final dates for the defendant to amend pleadings or to join parties.
  - (d) Final dates to file dispositive motions.
  - (e) State the prospects for settlement.
  - (f) If the parties are unable to reach a settlement, each party shall state whether the party agrees after discovery has been completed to a mediation session (without charge) before a United States Magistrate Judge.
  - (g) If the parties are ultimately unable to reach a settlement will you consider a trial to be conducted by a United States Magistrate Judge and advice the District Court of your decision at a later date?

- (h) Final dates for submitting Rule 26(a)(3) witness lists, designations of witnesses whose testimony will be presented by deposition, and exhibit lists.
  - (i) Final dates to file objections under Rule 26(a)(3).
  - (j) Suggested trial date and estimate of trial length.
  - (k) Other matters.
5. Description of the case.
- (a) A brief narrative of the facts giving rise to the lawsuit, description of legal claims and defenses.
  - (b) A brief statement of the material issues to be resolved.

DATED this 12th day of June, 2015.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Charles B. Kornmann". The signature is fluid and cursive, written over a horizontal line.

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CHARLES B. KORNMANN  
United States District Judge